

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	CRIMINAL NO. 21-381
v.	:	
JASON PROPER	:	

GOVERNMENT'S PLEA MEMORANDUM

I. INTRODUCTION

A group of coconspirators (“the callers”), some of whose identities are known and some unknown, and are known to have been in India, engaged in phone calls with residents of the United States (“fraud victims”). The callers pretended they worked for the Internal Revenue Service (“IRS”) and falsely claimed the fraud victims owed money to the IRS. The callers told the fraud victims how much money they owed and threatened the fraud victims with arrest if they did not send money via MoneyGram or Western Union to a person in the United States. A group of coconspirators in the United States (“the runners”), identified in the indictment as defendants Jason Proper, Anandkumar Nayee, and Abhijeetsinh Jadeja, worked with the callers and received instructions from coconspirator Amit Amin. The instructions from defendant Amin came in the form of text messages via WhatsApp and informed the runners where to travel to pick up money from MoneyGram sites; the messages included the sender’s name, the amount sent, and the recipient information (i.e., the alias to be used by the runner). Additionally, the runners were told what to do with the money, that is, the account number the runner was to deposit the money into; the amount of money; and the name of the account holder.

The runners traveled to MoneyGram sites located throughout the United States to pick up

money sent by victims of the fraud scheme. Defendant Anandkumar Nayee rented vehicles that enabled him and defendants Jason Proper and Abhijeetsinh Jadeja to travel to the MoneyGram sites when they did not use their own vehicles. Defendant Nayee also supplied the runners with fake driver's licenses that defendants Proper and Jadeja used when they picked up funds from MoneyGram sites. After receiving the transferred funds, the runners deposited cash and money orders into personal and business bank accounts per the instructions given to them. Certain accounts that belonged to account holders who were coconspirators received cash so they would not be tied to the fraud scheme; other accounts that belonged to account holders that were not part of the scheme received cash or money orders.

In return for defendant Jason Proper's participation as a runner in the fraud scheme, he received 1% of the monies he picked up from MoneyGram sites.

Defendant Jason Proper was charged with conspiring with defendants Anandkumar Nayee, Abhijeetsinh Jadeja, Amit Amin, Himanshu Amin, and Vishal Patel to commit wire fraud, in violation of 18 U.S.C. § 1349. Defendant Proper has agreed to plead guilty to the offense. See attached guilty plea agreement, Exhibit A. The guilty plea agreement executed by defendant Proper includes a stipulation that he contributed to the conspiracy and should be held accountable for \$381,360 in fraud loss.

II. ELEMENTS OF THE OFFENSE

As previously stated, the indictment charges defendant Jason Proper with a violation of 18 U.S.C. § 1349 (Conspiracy to Commit Wire Fraud). The elements of **wire fraud** are as follows:

First: That the defendant knowingly devised a scheme to defraud or to obtain money or property by materially false or fraudulent pretenses, representations or promises;

Second: That the defendant acted with the intent to defraud; and

Third: That in advancing, furthering, or carrying out the scheme, the defendant transmitted any writing, signal, or sound by means of a wire, radio, or television communication in interstate commerce or caused the transmission of any writing, signal, or sound of some kind by means of a wire, radio, or television communication in interstate commerce.

Third Circuit Model Jury Instructions, 6.18.1343

The conspiracy instructions at 6.18.371A would be modified as follows:

First: That two or more persons agreed to commit an offense against the United States, as charged in the indictment;

Second: That the defendant was a party to or member of that agreement; and

Third: That the defendant joined the agreement or conspiracy knowing of its objective to commit an offense against the United States and intending to join together with at least one other alleged conspirator to achieve that objective; that is, that the defendant and at least one other alleged conspirator shared a unity of purpose and the intent to achieve a common goal or objective, to commit an offense against the United States.

III. MAXIMUM STATUTORY SENTENCE

The statutory maximum penalty for the violation of 18 U.S.C. § 1349 is 20 years' imprisonment, three years' supervised release, a \$250,000 fine, and \$100 special assessment.

IV. FACTUAL BASIS FOR THE PLEA

In sum, evidence against defendant Jason Proper includes, but is not limited to, the defendant's use of his own name and aliases at MoneyGram sites, images of him captured at the time he picked up monies wired by numerous fraud victims, and telephone records showing his presence at the locations where he picked up the wired monies.

MoneyGram wire transfer records show that defendant Jason Proper received approximately \$381,360 through 399 MoneyGrams over the course of 10 months from January 2016 through

September 2016. The first-time defendant Proper accepted a wire transfer as part of this fraud scheme, he used his actual name and his parent's home address in Connecticut. He subsequently used his name and his address in Florida. Later, he began to use aliases with recurring addresses. He modified his date of birth by a few days, his phone number by one or two digits, and his address by a few numbers or other characteristics similar to his own address. He used at least 24 different aliases. The sites of the MoneyGrams matched the travel locations of the defendant. Approximately 23 victims that sent MoneyGrams to either defendant Proper or the aliases used by him were interviewed; 19 of the individuals confirmed that they were victims of the IRS impersonation fraud scheme charged in the indictment.

AT&T phone records reveal defendant Jason Proper was a subscriber of a phone number ending in 5131. Call records show him in regular contact with defendants Anandkumar Nayee and Abhijeetsinh Jadeja during the period charged in the indictment. The records show defendant Proper made calls that coincided with some of the travel that defendants Proper, Nayee and Jadeja made to receive MoneyGram wire transfers from fraud victims.

Images of defendant Jason Proper were captured at numerous locations when he picked up money from MoneyGram sites, including at CVS stores and Walmart.

A fraud victim recalled that he/she received a call in January 2016 from an unknown number and spoke to an individual who identified himself as Jason Proper and purported to be an IRS official. The victim was told that he/she owed back taxes. The victim spoke to other individuals beside the person claiming to be Jason Proper, who directed the victim to go to Walmart and Ace Cash Express in Austin, Texas and San Antonio, Texas to make a total of six different payments over a two-day period to Jason Proper. Three out of six of the payments were sent on January 11,

2016 and one out of the six payments was sent on January 12, 2016. The four payments were picked up in Florida by defendant Proper. The fraud victim notified local law enforcement officers once he/she realized that he/she was being scammed.

Furthermore, after picking up funds from victims at MoneyGram sites, defendant Jason Proper made deposits of cash and money orders into bank accounts at banks in the vicinity of the MoneyGram pickups in furtherance of the fraud scheme. The MoneyGram wirings sent by victims from and to the Eastern District of Pennsylvania were interstate wirings in furtherance of the conspiracy.

Respectfully submitted,

JACQUELINE C. ROMERO
United States Attorney

/s/ ANITA EVE
ANITA EVE
Assistant United States Attorney

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was filed electronically, is available for viewing and downloading from the Electronic Case Filing system, and was served by electronic filing upon:

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s/ Anita Eve
ANITA EVE
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Date: October 2, 2023